

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

Boston Edison Company d/b/a NSTAR Electric Petition for a G.L. c. 164 § 72 Determination that a Proposed 3-mile 115 kV overhead electric transmission line through the Towns of Framingham, Natick, and Sherborn, Massachusetts will serve the public convenience, and is consistent with the public interest.

D.T.E. 04-71

**PETITION OF ISO NEW ENGLAND, INC.
TO PARTICIPATE AS A LIMITED PARTICIPANT**

Pursuant to 220 C.M.R. 1.03, ISO New England, Inc. (“ISO”) hereby petitions the Department of Telecommunications and Energy (“DTE” or “Department”) for leave to participate as a Limited Participant in the proceedings noted above, stating in support thereof the following:

1. The ISO is the private, non-profit Independent System Operator for New England. Pursuant to the agreements and tariffs on file with the Federal Energy Regulatory Commission, the ISO administers the New England product markets, and operates the New England bulk power system. The ISO has the responsibility to protect the short-term reliability of the control area, to administer competitive and efficient wholesale markets and to administer the regional open access transmission tariff.

2. The DTE opened this docket to review the request of Boston Edison Company d/b/a NSTAR Electric (“NSTAR” or the “Company”) for a G.L. c. 164 § 72 determination that a proposed 3-mile 115 kV overhead electric transmission line through the Towns of Framingham, Natick, and Sherborn, Massachusetts (the “Project”) will serve the public convenience, and is

consistent with the public interest. Such determination involves consideration of the need for the facility in terms of provision of reliable electric service.

3. Consistent with the Department's Notice of Public Hearing dated September 22, 2004, ISO requests that it be permitted to participate as a Limited Participant at this time in order to adequately represent and protect its interests in this proceeding. In connection with its responsibilities as outlined in paragraph one above, ISO has an interest that would be affected by the outcome of this proceeding because it is responsible for the reliability of electric supply and transmission in its control area, which includes the Boston area, including the area in which the Project is located. Also, ISO is responsible for administration of competitive and efficient wholesale markets. Timely completion of the Project is important to ISO's responsibilities as noted above.

4. ISO's interest in this matter cannot be adequately addressed or represented by any other party. Consequently, ISO's participation in this proceeding will help the Department determine the need for the proposed facilities, while affording ISO the opportunity to maximize its ability to fulfill its obligations as noted above.

5. If granted leave to participate as a Limited Participant, ISO intends to fully participate in this proceeding by means of filing of briefs and comments.¹

¹ ISO does note that in certain cases a transmission company's proposed facilities have been opposed formally and such opponents have provided record evidence regarding need for the proposed facilities. *See e.g., New England Power Company*, D.T.E. 03-128. Should a third party seek to intervene to oppose the facilities, ISO may wish to seek to convert its status (if this Petition is granted) from Limited Participant status to full Intervenor status.

6. ISO has been in communication for counsel with NSTAR and understands that ISO participation in this proceeding as a Limited Participant is supported by NSTAR.

7. All communications and correspondence for this proceeding should be directed to the undersigned and to:

Eric Krathwohl, Esq.,
Rich May, PC
176 Federal Street, 6th Floor
Boston, MA 02110-2223
(617) 556-3848 (Telephone)
(617) 556-3890 (Fax)
e-mail: ekrathwohl@richmaylaw.com

and

Matthew F. Goldberg, Esq.,
Sr. Regulatory Counsel
ISO-New England
1 Sullivan Road
Holyoke, MA 01040
Email: mgoldberg@iso-ne.com

WHEREFORE, ISO New England, Inc. requests that the Department of Telecommunications and Energy permit it to participate as a Limited Participant in these proceedings.

Respectfully submitted,
ISO New England, Inc.

By: _____

Matthew F. Goldberg, Esq.,
Sr. Regulatory Counsel
ISO-New England
1 Sullivan Road
Holyoke, MA 01040
Email: mgoldberg@iso-ne.com

Eric Krathwohl, Esq.,
Rich May, PC
176 Federal Street, 6th Floor
Boston, MA 02110-2223
(617) 556-3848 (Telephone)
(617) 556-3890 (Fax)
e-mail: ekrathwohl@richmaylaw.com

Date: October 22, 2004